

REISSUE PATENT APPLICATION TRANSMITTAL

Address to: Assistant Commissioner for Patents Box Reissue Washington, DC 20231	Attorney Docket No.	34090-06263
	First Named Inventor	James Usko et al.
	Original Patent Number	6,000,374
	Original Patent Issue Date (Month/Day/Year)	12/14/1999
	Express Mail Label No.	

PTO
10/013900
12/13/01

APPLICATION FOR REISSUE OF:

(Check applicable box)



Utility Patent



Design Patent



Plant Patent

APPLICATION ELEMENTS (37 CFR 1.173)

1. ☒ Fee Transmittal Form (PTO/SB/56)
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification and Claims in double column copy of patent format (amended, if appropriate)
4. ☒ Drawing(s) (proposed amendments, if appropriate)
5. ☒ Reissue Oath/Declaration (original or copy)
(37 C.F.R. § 1.175) (PTO/SB/51 or 52)
6. ☒ Power of Attorney **(included w/Declaration)**
7. Original U.S. Patent currently assigned? ☒ Yes ☐ No
(If Yes, check applicable box(es))
 - ☒ Written Consent of all Assignees (PTO/SB/53)
 - ☒ 37 C.F.R. § 3.73(b) Statement (PTO/SB/96)
8. ☐ CD-ROM or CD-R in duplicate, Computer Program (Appendix) or large table
9. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all of the following are necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM (2 copies) or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

10. ☒ Statement of status and support for all changes to the claims. See 37 CFR 1.173 (c).
11. ☐ Original U.S. Patent for surrender
 - ☐ Ribbioned Original Patent Grant
 - ☐ Statement of Loss (PTO/SB/55)
12. ☐ Foreign Priority Claim (35 U.S.C. 119) (if applicable)
13. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
14. ☐ English Translation of Reissue Oath/Declaration (if applicable)
15. ☒ Preliminary Amendment
16. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
17. Other: **Check nos. 116989 & 117032 totaling the amount of \$1,568.00; Request for Approval of Drawing Changes including copies of Figs. 3-21 with changes.**

18. CORRESPONDENCE ADDRESS


Customer Number or Bar Code Label

or



Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	COLLIER SHANNON SCOTT, PLLC			
Address	3050 K Street, N.W., Suite 400		Zip Code	20007
City	Washington	State	DC	Fax 202.342.8451
Country	U.S.	Telephone	202.342.8400	

NAME (Print/Type)	Patrick J. Coyne/Mark W. Rygiel	Registration No. (Attorney/Agent)	31,821/45,821
Signature	<i>Mark W. Rygiel</i>	Date	December 13, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Reissue, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number	Unassigned
Filing Date	December 13, 2001
First Named Inventor	James N. Usko
Examiner Name	Unassigned
Group Art Unit	
Attorney Docket No.	34090-06263

TOTAL AMOUNT OF PAYMENT (\$) 1868.00

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number
- Deposit Account Name
- ☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27
2. ☒ Payment Enclosed:
- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	740	201 370	Utility filing fee	
106	330	206 165	Design filing fee	
107	510	207 255	Plant filing fee	
108	740	208 370	Reissue filing fee	740.00
114	160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$) 740.00

2. EXTRA CLAIM FEES

Total Claims 50 -20** = 30 X Fee from below 18.00 = 540.00

Independent Claims 7 -3** = 4 X Fee Paid 84.00 = 588.00

Multiple Dependent =

	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103	18	203 9	Claims in excess of 20
102	84	202 42	Independent claims in excess of 3
104	280	204 140	Multiple dependent claim, if not paid
109	84	209 42	** Reissue independent claims over original patent
110	18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 1128.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65	Surcharge - late filing fee or oath	
127	50	227 25	Surcharge - late provisional filing fee or cover sheet	
139	130	139 130	Non-English specification	
147	2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112 920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115	110	215 55	Extension for reply within first month	
116	400	216 200	Extension for reply within second month	
117	920	217 460	Extension for reply within third month	
118	1,440	218 720	Extension for reply within fourth month	
128	1,960	228 980	Extension for reply within fifth month	
119	320	219 160	Notice of Appeal	
120	320	220 160	Filing a brief in support of an appeal	
121	280	221 140	Request for oral hearing	
138	1,510	138 1,510	Petition to institute a public use proceeding	
140	110	240 55	Petition to revive - unavoidable	
141	1,280	241 640	Petition to revive - unintentional	
142	1,280	242 640	Utility issue fee (or reissue)	
143	460	243 230	Design issue fee	
144	620	244 310	Plant issue fee	
122	130	122 130	Petitions to the Commissioner	
123	50	123 50	Processing fee under 37 CFR 1.17(q)	
126	180	126 180	Submission of Information Disclosure Stmt	
581	40	581 40	Recording each patent assignment per property (times number of properties)	
146	740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279 370	Request for Continued Examination (RCE)	
169	900	169 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00

SUBMITTED BY

Name (Print/Type)	Patrick J. Coyne/Mark W. Rygiel	Registration No. (Attorney/Agent)	31,821/45,871	Telephone	202.342.8400
Signature		Date	December 13, 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

JC658 U.S. PRO
12/13/01

Collier Shannon Scott



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December 13, 2001

Assistant Commissioner for Patents
BOX REISSUE
Washington, D.C. 20231

JC781 U.S. PRO
10/013988
12/13/01

Re: New Reissue Patent Application
For: MULTI-CYCLE, ENGINE BRAKING WITH POSITIVE POWER VALVE
ACTUATION CONTROL SYSTEM AND PROCESS FOR USING THE SAME
Client's Reference No.: DP-190
Our Reference No: 34090-06263

Dear Sir:

Transmitted herewith for filing in the U.S. Patent and Trademark Office in connection with the above-referenced application are the following documents: (1) Reissue Patent Application Transmittal (1 sheet); (2) Fee Transmittal (1 sheet); (3) Copy of original patent in double column format, including original drawings depicting Figs. 1-18 (25 sheets); (4) Preliminary Amendment in Reissue Application (22 sheets); (5) Statement of Status and Support for Claim Changes Under 37 CFR 1.173(c) (1 sheet); (6) Request for Approval of Drawing Changes, including copies of Figs. 3-21 with changes noted in red (21 sheets); (7) Consent of Assignee and Statement Under 37 CFR 3.73(b), including copy of original assignment document (5 sheets); (8) Reissue Application Declaration by Inventors for James Usko and Gheorghe Cosma (6 sheets); and (9) check nos. 116989 and 117032 totaling the amount of \$1868.00 to cover the U.S. Government reissue filing fee.

Sincerely yours,

Mark W. Rygiel
PATRICK J. COYNE, Reg. No. 31,821
MARK W. RYGIEL, Reg. No. 45,871

Enclosures
cc: Frank Stawski

10013988-121301

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application for Reissue of
U.S. Patent No. 6,000,374

Date of Issue: December 14, 1999

In re Application of: Jim Usko et al.

For: APPARATUS AND METHOD TO SUPPLY OIL, AND ACTIVATE ROCKER
BRAKE FOR MULTI-CYLINDER RETARDING

Assignee: Jacobs Vehicle Systems, Inc.

Attorney Docket #: 34090-06263

**Statement of Status and Support For Claim Changes
Under 37 CFR 1.173(c)**

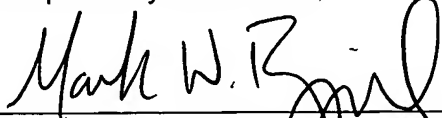
The Honorable Commissioner
of Patents & Trademarks
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 CFR 1.173(c), after entry of the Preliminary Amendment submitted herewith, original patent Claims 1-21 and newly added Claims 22-50 are pending. Support for the subject matter in newly added Claims 22-50 is found in the specification, at, *inter alia*, Col. 15, ll. 6-22, Col. 15 line 55 - Col. 16 line 31, Col. 16 line 35 - Col. 17 line 14, and Figs. 1-4, 6-8, 11-12, 14, and 18-21.

Date: December 13, 2001

Respectfully Submitted,



PATRICK J. COYNE, Reg. No. 31,821
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FOOTNOTES

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application for Reissue of
U.S. Patent No. 6,000,374

Date of Issue: December 14, 1999

In re Application of: Jim Usko et al.

For: APPARATUS AND METHOD TO SUPPLY OIL, AND ACTIVATE ROCKER
BRAKE FOR MULTI-CYLINDER RETARDING

Assignee: Jacobs Vehicle Systems, Inc.

Attorney Docket #: 34090-06263

Request for Approval of Drawing Changes

The Honorable Commissioner
of Patents & Trademarks
Washington, D.C. 20231

Dear Sir:

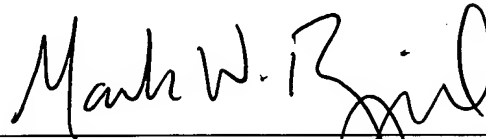
Pursuant to 37 CFR §§ 1.121 and 1.173, Applicants respectfully request approval of the changes indicated in red on the attached sheets for the above-referenced reissue application. The changes are necessary to correct errors inadvertently incorporated into the above-referenced original patent. In particular, Figs. 3, 4, 6, 7, 8, 11, 12, 14, and 18 are amended, Figs. 5, 9, 10, 13, 15, 16, and 17 are canceled, and Figs. 19-21 are added. Figure 19 corrects errors in, and in effect replaces, canceled Fig. 9. Figure 20 corrects errors in, and in effect replaces, canceled Fig. 16. Figure 21 corrects errors in, and in effect replaces, canceled Fig. 17.

10013988-12101

Each of the drawing changes is in conformance with the specification as to structure and numbering. No new matter is introduced.

Respectfully Submitted,

Date: December 13, 2001



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